

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor: Boris Andreyevich Krasnoiarov, et al.

Appl. No.: 10/077,423

Confirm. No.: 3748

Filed: February 15, 2002

Title: METHOD AND SYSTEM FOR
ASSEMBLING CONCURRENTLY-GENERATED
CONTENT

PATENT APPLICATION

Art Unit: 2176

Examiner: Quoc A Tran

Customer No. 80548

REPLY BRIEF UNDER 37 C.F.R. § 41.41

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Reply Brief is being submitted in response to the Examiner's Answer, which was mailed by the USPTO on August 27, 2008. Appellant is filing this Reply Brief as a matter of right under 37 C.F.R. § 41.41 within two months of the mailing date of the Examiner's Answer.

It is not believed that any additional fees are due at this time. However, the Commissioner is authorized to charge any required fees and any underpayment of fees or credit any overpayment to Deposit Account No. 06-1325, including any fee for extension of time, which may be required.

I. Real Party in Interest

BEA Systems, Inc. has been acquired by Oracle International Corporation. Oracle International Corporation should be added as a real party in interest.

II. Introduction

The concept of having multiple parallel worker threads spawned for a single request, as claimed in claims 1, 16, 31 and 46 of the present invention, is missing from Ferguson and the prior art as a whole.

Ferguson has parallel threads, but not for components of a single request.

Because this feature is missing in Ferguson, the combination of Ferguson and Nazem does not produce the invention as claimed.

Both Nazem and Ferguson describe pre-fetching systems in which information is pre-fetched to a computer before it is needed by a user.

In Nazem, information is pre-fetched to shared memory 212, so that a custom page can be constructed using the information in the shared memory 212.

In Ferguson, the user can drag and drop additional links to be loaded in the background. As described in paragraph [0121] – [0122] of Ferguson, these background links are downloaded in parallel with ads (presumably not wanted by the user) that are downloaded from an ad server. The background link pages (as well as the ads) are then stored until the user requests to see them at which time they are provided to the users' browser for display.

The combination of these two pre-fetching systems does not make the present claimed invention obvious.

To get the advantages of the claimed embodiment of the present invention, you have to give up the advantage of pre-fetching. The system of claim 1 waits until a user request is received, and then the request is divided into component requests to different servers that are sent in parallel.

This is slower than the pre-fetching, as discussed in Ferguson and Nazem, but gives you advantages in flexibility. The system need not determine in advance what things to get downloaded for a user. It is not clear why someone skilled in the art reading

two prior art references concerned about pre-fetching systems and their advantages would produce the system of the present independent claims.

III. Conclusion

Appellant respectfully requests consideration of these additional arguments, and the original arguments in the Appeal Brief, and that the Board of Patent Appeals and Interferences withdraw the outstanding rejections.

It is not believed that any additional fees are due at this time. However, the Commissioner is authorized to charge any required fees and any underpayment of fees or credit any overpayment to Deposit Account No. 06-1325, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: September 17, 2008

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